

MER:MT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M-09-1005

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UNITED STATES OF AMERICA

- against -

MAXIMINIO MORROBEL,
also known as
"Ramon Luis Nunez" and
"Pedro De La Cruz,"

Defendant.

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF AN
APPLICATION FOR
ARREST WARRANT

(18 U.S.C. § 1542)

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EASTERN DISTRICT OF NEW YORK, SS:

TODD D. SABINO, being duly sworn, deposes and says that he is an Officer with the U.S. Department of Homeland Security, Customs and Border Protection ("CBP"), duly appointed according to law and acting as such.

Upon information and belief, on or about October 11, 2009, within the Eastern District of New York and elsewhere, the defendant, MAXIMINIO MORROBEL, also known as "Ramon Luis Nunez" and "Pedro De La Cruz," did knowingly and willfully use and attempt to use a passport the issue of which was secured in any way by reason of any false statement.

(Title 18, United States Code, Section 1542).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. I am an Officer with CBP and have been so for seven years and ten months. I am familiar with the facts and circumstances set forth below from my personal involvement in the investigation, my review of the investigative file and from reports of other law enforcement officers involved in the investigation.

2. On or about October 11, 2009, prior to boarding American Eagle flight number MQ4510 bound for John F. Kennedy International Airport in Queens, New York ("JFK Airport"), the defendant MAXIMINIO MORROBEL, also known as "Ramon Luis Nunez" and "Pedro De La Cruz," presented United States passport 309474447, in the name of Ramon Luis Nunez, date of birth February 25, 1969, to a CBP officer at the United States CBP pre-clearance facility at Toronto Pearson International Airport in Toronto, Canada, and was admitted as a returning United States Citizen.

3. CBP officers in Toronto conducted a routine check of the defendant's passport information and concluded that there was an outstanding warrant for the arrest of "Pedro De La Cruz,"

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause, I have not described all the relevant facts and circumstances of which I am aware.

also known as "Ramon Luis Nunez," issued by the Waterbury County Parole Office in Waterbury, Connecticut, and notified CBP officers at JFK Airport about the outstanding warrant.

4. On or about October 11, 2009, the defendant MAXIMINIO MORROBEL, also known as "Ramon Luis Nunez" and "Pedro De La Cruz," arrived at JFK Airport.

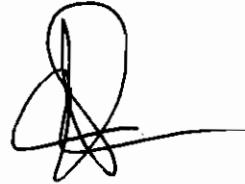
5. Upon arrival at JFK Airport, CBP officers apprehended the defendant MAXIMINIO MORROBEL, also known as "Ramon Luis Nunez" and "Pedro De La Cruz," and obtained his fingerprints, which were compared against certain fingerprint databases. The fingerprints were determined to match the fingerprints of the individual known as "Pedro De La Cruz," also known as "Ramon Luis Nunez," who was wanted on the Waterbury warrant.

6. CBP officers also retrieved an application for United States passport 309474447, in the name of Ramon Luis Nunez, from a United States Department of State database and determined that on or about October 21, 2006, the defendant MAXIMINIO MORROBEL, also known as "Ramon Luis Nunez" and "Pedro De La Cruz," applied for and thereafter received a United States Passport. On the application, form DS-11, the defendant provided the name of another person as his own and also submitted that person's social security number, date of birth and place of birth as his own. Specifically, the defendant stated that his name was

Ramon Luis Nunez and that his place of birth was Rio Piedras, Puerto Rico. The passport application included a photograph of the defendant MAXIMINIO MORROBEL, also known as "Ramon Luis Nunez" and "Pedro De La Cruz."

7. Thereafter, CBP officers placed the defendant MAXIMINIO MORROBEL, also known as "Ramon Luis Nunez" and "Pedro De La Cruz," under arrest. After advising him of his Miranda rights in Spanish, the defendant orally agreed to waive his rights and to make a statement. In the statement, the defendant stated, in sum and substance, that he is not "Ramon Luis Nunez" or "Pedro De La Cruz," that his real name is MAXIMINIO MORROBEL, and that "Ramon Luis Nunez" is an alias that he had used to obtain the "Ramon Luis Nunez" passport. The defendant further admitted to filling out the above mentioned passport application using the false information.

WHEREFORE, your deponent respectfully requests that the defendant MAXIMINIO MORROBEL, also known as "Ramon Luis Nunez" and "Pedro De La Cruz," be dealt with according to law.



TODD D. SABINO
Enforcement Officer
Customs and Border Protection

Sworn to before me this
13th day of October, 2009

